



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning & Development

D. M. Sugimura, Director

CITY OF SEATTLE ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 2407656
Applicant Name: Chris Dowell, Architect for Jay Young
Address of Proposal: 7500 Roosevelt Way Northeast

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish the use for the future construction of a four-story building containing 25,660 square feet of office commercial space on two floors and 30 apartment units above. Parking for 66 vehicles to be provided at and below grade. Project includes future demolition of two existing structures.

The following approvals are required:

SEPA - Environmental Determination – Chapter 25.05 SMC

Design Review – Chapter 23.41 SMC -

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

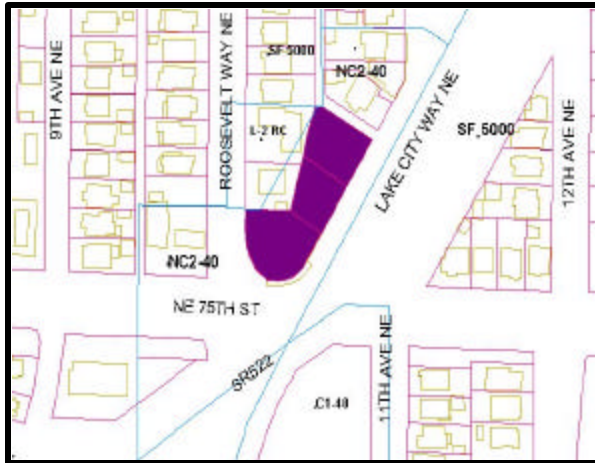
☐ DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

* Early DNS Notice published September 1, 2005 with revision September 15, 2005

BACKGROUND DATA

Project and Site Description

The project site lies within a cluster of commercial, multi-family and single residential uses. Roosevelt Way Northeast on the west, Lake City Way Northeast on the east, Northeast 75th Street on the south, and an alley on the north define the irregularly shaped property. The rights-of-way form a rounded corner to the south which then splays outward to the north east mirroring Lake City Way NE. An alley borders the property on the north.



Occupied by two single story buildings (circa 1924 and 1927), one of which is vacant (formerly housing a used furniture store and a realty company respectively) and the other is used for storage, the site contains surface parking accessed from both Lake City Way and Roosevelt Way NE. The 21,631 square foot property has a slight incline ascending two feet from south to north. It lies within a Neighborhood Commercial Two with a forty foot height limit zone (NC2-40).

The applicant proposes a four story mixed use building with two floors of commercial space beneath two floors of multi-family use. The lower floor would occupy nearly the entire site with the three upper floors stepped back from the rights-of-way and/or the adjacent parcels on Roosevelt Way NE. At the Early Design Guidance meeting, the proponent presented four alternatives each possessing a parti and a massing resembling one another. The four options varied the amount of residential lot coverage and the location of the two upper stories in relation to the street. Option D represented the most dramatic variation with a deep notch on the Lake City Way façade. At the EDG meeting, the project site comprised two parcels. By the application of the MUP, a third parcel adjacent to the alley had been added to the proposal.

Vicinity

The site sits within a complex street system in Seattle's north end. NE 75th Street, Roosevelt Way NE, Lake City Way NE and Banner Way NE along with a web of access ramps to Lake City Way and I-5 converge near the property. The underground portion of the ramps to Lake City Way and I-5 pass just to the southeast. South of NE 75th St., Roosevelt Way travels one way south bound yet is both north and south bound north of NE 75th St. Lake City Way NE next to the parcel is a minor arterial before it becomes a state highway a few blocks to the northeast. An adjacent alley extends westward from the Lake City Way NE spur then turns north continuing to NE 78th Street.

In addition to the complicated arterial system, nearby land uses vary greatly in size and intensity. The Greenlake Reservoir, two blocks to the southeast, occupies nearly 19 acres. Directly to the south, a Safeway store covers roughly two acres with its surface parking lot filling the northern half of the lot. A block to the west, a 4.6 acre tract houses a Seattle City Light substation. Closer to the site, the parcels form a much finer fabric. A Shell station lies across Roosevelt Way NE from the subject property. Adjacent and to the north facing Roosevelt Way are two apartment buildings with a total of 12 units.

Neighborhood Commercial Two (NC2 40) and Commercial One (C1 40) zones both with forty foot height limits comprise the Roosevelt Way / Lake City Way corridor extending from the south and terminating north of the site. The Safeway store is the largest presence within this small commercial district. The two adjacent parcels with apartment buildings possess a Lowrise Two/ Residential Commercial zone (L2 RC). Single Family 5000 (SF 5000), the predominant zoning classification along Roosevelt Way NE to the north of the L2 RC zone, reflects the residential land use in the surrounding

neighborhoods. The adjacent lots to the west, interestingly, are split zoned possessing both NC2-40 and L2 RC zones.

The three parcels that comprise the subject site serve as a transition between the larger and more intensive commercial uses along Lake City Way NE and south of NE 75th St. (Safeway) and the residential neighborhood to the north. The site and its immediate neighbors represent at this point a small and generally underdeveloped commercial node at the intersection of several important arterials. The proposed development of the subject property and its immediate neighbors in the future presents an opportunity to create a stronger pedestrian orientation that acts as a transition between the auto dominated Lake City Way corridor and the quieter residential areas.

Public Comments

Five members of the community attended the Early Design Guidance meeting. Questions and comments focused on traffic conditions along Roosevelt Way NE. Poor sight lines exist in places and traffic backs up on NE 75th Street. An individual observed that Lake City Way NE near the site has plenty of on-street parking.

ANALYSIS-DESIGN REVIEW

Design Guidelines Priorities

The project proponents presented their initial ideas at an Early Design Guidance meeting on February 7, 2005. After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members identified the following Citywide Design Guidelines as high priorities to be considered in the final proposed design.

A. Site Planning

A-3 Entrances Visible from the Street. Entries should be clearly identifiable and visible from the street.

The Board advised that the placement of the residential and commercial entrances should be located along Roosevelt Way NE and Lake City Way NE rather than at the building's prow on NE 75th St.

A-4 Human Activity. New development should be sited and designed to encourage human activity on the street.

Board members requested evidence that the proposed design promotes pedestrian activity along the streetscape. The design process should study or recognize pedestrian patterns in the neighborhood and ensure their enhancement. Providing modulation and architectural elements with visual interest particularly on the long Lake City Way façade is important.

A-7 Residential Open Space. Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.

The Board expressed its disinclination to grant a residential open space departure based solely on the upper floors' proximity to the property line. The architect should incorporate pedestrian amenities in a meaningful way and develop a thoughtful expression of architectural form expressed in the vertical relationship of the commercial and residential division including use of design strategies such as changes in roof heights, inclusion of subtractive and additive properties of the façade, and void and solid relationships.

A-8 Parking and Vehicle Access. Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.

Discussion of parking and vehicle access issues produced an initial acceptance of the two curb cuts on Roosevelt Way NE and Lake City Way NE. The proposed curb cuts to the garage entrances basically replicate the existing curb cuts to surface lots. The Board urged the applicant to pursue narrowing the curb cuts and driveways as much as possible.

A-10 Corner Lots. Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.

Characterizing the rounded corner condition as the building's prow, the Board stated that its prominence demands considerable design attention. The upper portion may not necessarily mimic the lower; but may instead relate to another street grid or urban condition.

B. Height, Bulk and Scale

B-1 Height, Bulk and Scale Compatibility. Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less-intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zones.

The relationship of the proposed structure to the various rights-of-way should inform its height, bulk and scale. The auto/commercial orientation of NE 75th Street and Lake City Way NE suggests housing the bulk of the building mass along these streets. As the proposed building turns toward the more intimate scale of its residential neighbors and Roosevelt Way, the scale should be reduced in height and bulk. The strategy of terracing the building closest to the adjacent apartment buildings makes sense. The building wall along Lake City Way and NE 75th St. serves as a visual and sound barrier between the more intense commercial corridor and the residential areas to the north. The building's height should be reduced as it approaches the edges of the property near the apartments and possibly the adjacent commercial buildings on Lake City Way.

C: Architectural Elements and Materials

C-2 Architectural Concept and Consistency. Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept.

Buildings should exhibit form and features identifying the functions within the building.

In general, the roofline or top of the structure should be clearly distinguished from its façade walls.

The Board strongly advised that the roof line should vary in height providing visual interest and responding to the different scales and contexts of the surrounding vicinity. The proposed prow should be vertically integrated with a common materials and form. It is not necessary to set back the upper residential floors or distinguish them from the lower floors by a different material; in fact, variation of materials, if necessary, should occur on the back side (responding to different conditions).

C-3 Human Scale. The design of new buildings should incorporate architectural features, elements and details to achieve a good human scale.

By the MUP review, design development should give much greater attention to the human scale. In spite of the site's location along several arterials, greater sensitivity to the human scale is warranted given its proximity to a predominantly single family neighborhood and pedestrian circulation patterns.

C-4 Exterior Finish Materials. Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

The Board encouraged the use of brick on the facades without requiring it exclusively. The Apostolic Faith Mission across NE 75th Street and a few other structures in the area have brick facades. The Safeway uses brick and a reddish tinted, concrete block. Due to their potential height, the elevations facing the apartment buildings will be quite visible from the neighborhood along Roosevelt Way. The architect should give considerable attention to the design of these facades.

D: Pedestrian Environment

D-1 Pedestrian Open Spaces and Entrances. Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather.

Board members strongly encouraged the insertion of discreet pedestrian open spaces along the streetscape which could be integrated into the residential and commercial entrance areas. These outdoor spaces should also provide definition and relief to the facades. Such open space areas can act as a component of the façade modulation and would emphasize the break in scale responding to the varying contexts and also present an opportunity to change materials and signify a change in program or function.

E. Landscaping

E-2 Landscaping to Enhance the Building and/or Site. Landscaping including living plant material, special pavements, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.

Street trees would be appropriate, softening the edges of the proposed mixed use building and reinforcing the more domestic and tree-lined Roosevelt Way NE. Any residential open space above the

commercial floors should be well landscaped. The Board expects to review a landscape plan at the Recommendation Meeting.

MASTER USE PERMIT APPLICATION

The applicant revised the design and applied for a Master Use Permit with a design review component on August 11, 2005.

DESIGN REVIEW BOARD RECOMMENDATION

The Design Review Board conducted a Final Recommendation Meeting on April 3, 2006 to review the applicant's formal project proposal developed in response to the previously identified priorities. At the public meeting, site plans, elevations, floor plans, landscaping plans and computer renderings of the proposed exterior materials were presented for the Board members' consideration.

Public Comments

Twenty-eight community members signed-in at the Final Recommendation meeting. Participant comments focused primarily but not exclusively on vehicular access from the alley. The following summarizes the comments:

- Design a wall that safely separates the descending garage ramp from the neighboring property.
- Vehicles from the proposed building garage should not use the north end of the alley.
- Eliminate the problem of vehicular headlights from shining into neighboring residences across the alley.
- Provide a sidewalk in the alley. At least two residences have only alley access.
- Revise Lake City Way NE to accommodate two-way traffic.
- Provide adequate lighting at the entrance of the garage.
- The proposed design of the garage at the alley would allow only one vehicle to exit at a time.
- The trash/recycling room should not be directly across the alley from a residence.
- Trash/recycling and yard waste trucks block the alley and make frequent stops slowing traffic.
- Reorient both garage driveways to be perpendicular to the alley.
- Use the triangular wedge near the property line created from the realignment of the garage access for the trash/recycling area.
- Create a pork chop (a forced turn island) at the garage driveway to direct right only turns exiting the garage and direct ingress from Lake City Way NE.
- Two speakers favored the proposed alley access.
- Widen the alley to 20'.
- Residents in the neighborhood use NE 78th St. as a short cut to the express lanes. DPD or SDOT

needs to do a study of traffic volumes and circulation.

- Garbage/recycling trucks block the alley on pick-up days.

The Board received several written documents detailing concerns with the project. Because the authors may have spoken at the Recommendation meeting, redundancies have been omitted. These letters outlined the following concerns:

- Due to the expansion of the site between the EDG meeting and the MUP intake, a new EDG meeting should be held and the process started over rather than holding a Recommendation meeting.
- Vehicular access should occur from Lake City Way NE. This would eliminate traffic traveling north on the alley.
- There are already two curb cuts onto Lake City Way from the existing parking lot.
- If access remains on the alley, mitigation measures should force drivers to enter and exit the garage through the short leg of the alley.
- The proposed alignment of the garage is conducive for traffic to head north on the alley rather than turn right.
- A posted right turn only sign at the alley and lease conditions clarifying the desired circulation pattern in the alley would be inadequate. Residents favor a raised median in the garage driveway forcing cars to turn to the east.
- The short leg of the alley should be widened to at least 20 feet of driving surface and a five foot wide sidewalk.
- Because residents walk along the alley and for a few it is their only access, a sidewalk is needed. The sidewalk would increase business for the commercial spaces in the proposed building.
- Bedrooms and back yards overlook the alley. More traffic on the alley would increase the noise level.
- Sight distances vary based on angle and distance. Based on personal experiences of driving the alley for 28 years, a resident said that sight distances are not adequate.
- The applicant does not indicate how often the garage door or gate retracts and the times it will be closed.
- Retail customers are likely to park on Roosevelt Way NE eliminating on-street spaces for those whose houses front the street.
- The short leg of the alley should be widened to accommodate two-way traffic.

Recommendations

A: Site Planning

A-3 Entrances Visible from the Street. Entries should be clearly identifiable and visible from the street.

The Board members did not expand upon their initial comments from the early design guidance.

A-4 Human Activity. New development should be sited and designed to encourage human activity on the street.

The Board preferred vehicular access from the alley rather than Lake City Way NE. The Board, however, recommended changes to the proposed garage at the alley. See discussion in A-8.

The Board recommended more openings along the planting strip parallel to Lake City Way in order to accommodate individuals parked along the street. Pavers should be strategically placed within the row of plantings in the Lake City Way NE right-of-way.

A-7 Residential Open Space. Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.

The applicant did not request a departure from open space and the Board did not expand upon its initial comments from the early design guidance meeting.

A-8 Parking and Vehicle Access. Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.

The relationship of the garage to the alley was carefully scrutinized by the Board members. Two changes to the plans were unanimously recommended by the full Board. The garage driveway/entrances should be realigned to be perpendicular to the short leg of the alley. The ground floor and the second floor of the building should be set back four feet from the alley to ensure the safety of vehicles turning into and out of the two garages and to allow proper clearance for trash and recycling vehicles. At least two residences north of the subject property have alley only access requiring pedestrian use of the alley as well. The Board expressed its belief that the safety of all those using the alley was a fundamental reason for the recommended changes. The Board agreed with the traffic analysis and neighbors' insights and recommended that right turn only exiting should occur from the garage.

A-10 Corner Lots. Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.

The Board did not expand upon its initial comments from the early design guidance meeting.

B. Height, Bulk and Scale

B-1 Height, Bulk and Scale Compatibility. Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less-intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zones.

In general, the Board expressed its approval of the building massing and setbacks.

C: Architectural Elements and Materials

C-2 Architectural Concept and Consistency. Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept.

Buildings should exhibit form and features identifying the functions within the building.

In general, the roofline or top of the structure should be clearly distinguished from its façade walls.

The Board strongly recommended that material and color choices as presented on the materials board at the Recommendation meeting should not be altered. However, the corrugated metal with rounded folds specified for the upper floors should be replaced with a type possessing squared off angles.

C-3 Human Scale. The design of new buildings should incorporate architectural features, elements and details to achieve a good human scale.

The Board did not offer additional guidance.

C-4 Exterior Finish Materials. Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

Materials and colors displayed at the meeting were recommended by the Board with the exception of a modification to the proposed type of corrugated metal (see C-2).

D: Pedestrian Environment

D-1 Pedestrian Open Spaces and Entrances. Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather.

See A-4 and E-2.

D-6 Screening of Dumpsters, Utilities and Service Areas. Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.

A door should be added to provide direct access into the trash/recycling storage room from the garage in order to reduce noise on the alley. The Board's recommendation aims to eliminate unnecessary noise on the alley during non-trash and recycling pick up days.

E. Landscaping

E-2 Landscaping to Enhance the Building and/or Site. Landscaping including living plant material, special pavements, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.

Discussion focused on whether landscaping should be provided in the right-of-way along the curved south end of the site. The Board concluded that extension of the planting strips from Lake City Way NE and Roosevelt Way NE was unnecessary.

The proposed planting strip along Lake City Way NE should have more openings to allow easier access to the sidewalk from parked vehicles. (See A-4).

E-3 Landscape Design to Address Special Site Conditions. The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.

Based on the recommended realignment of the garages to the alley (see A-8), a wedge shaped piece of property would be created between the garage driveway and the property line. The Board recommended that this portion of land be planted with vegetation.

In order to relieve the extensive blank garage wall facing the adjacent properties to the west, the Board recommended planting vines to obscure the wall.

Board Recommendations: The recommendations summarized below were based on the plans submitted at the April 3, 2006 meeting. Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plans and other drawings available at the April 3, 2006 public meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the five Design Review Board members present unanimously recommended approval of the subject design.

The Board recommended the following **CONDITIONS** for the project. (Authority referenced in the letter and number in parenthesis):

1. Realign the garage driveways to be perpendicular to the alley. (A-8)
2. Set back the commercial floors of the building four feet from the alley to accommodate safe ingress and egress from the alley and to allow clearance for recycling/trash vehicles. (A-8)
3. Egress from the garage should be right turn only. (A-8)
4. Add a door directly into the trash/recycling storage room from the garage or stairway to encourage tenant use on non-trash and recycling days. (D-6)
5. Ensure that all materials and canopies presented in the Recommendation packet and on the material boards are used. (C-2 and C-4)
6. Use the dark toned color palette as shown on the materials board. (C-2 and C-4)
7. Specify a squared-off, corrugated metal for the exterior finish. (C-2)
8. Plant vines along the west garage façade that faces the adjacent apartment buildings. (E-3)
9. Landscape with plants the wedge shaped area between the realigned garage driveway and the adjacent property to the west. (E-3)

10. Place pavers within the planting strip along the Lake City Way NE spur to accommodate access for individual parked on the street. (A-4)

DIRECTOR'S ANALYSIS - DESIGN REVIEW

The Director finds no conflicts with SEPA requirements or state or federal laws, and has reviewed the City-wide Design Guidelines and finds that the Board neither exceeded its authority nor applied the guidelines inconsistently in the approval of this design. In addition, the Director is bound by any condition where there was consensus by the Board and agrees with the condition recommended by the five Board members and the recommendation to approve the design, as stated above.

DECISION - DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED**.

ANALYSIS-SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant's agent (dated August 11, 2005) and annotated by the Land Use Planner. The information in the checklist, the supplemental information submitted by the applicant, and the experience of the lead agency with review of similar projects, form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665D) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" subject to some limitations. Under such limitations/circumstances (SMC 25.05.665D1-7) mitigation can be considered.

Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction related vehicles. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The following is an analysis of construction-related noise, air quality, earth, grading, streets and parking impacts as well as mitigation.

Noise

Noise associated with construction of the building could adversely affect surrounding uses in the area, which include residential and commercial uses. Surrounding uses are likely to be adversely impacted by noise throughout the duration of construction activities. Due to the proximity of the project site to these residential uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted.

Grading, delivery and pouring of concrete and similar noisy activities will be prohibited on Saturdays and Sundays. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work such as that listed below will be permitted on Saturdays from 9:00 A.M. to 6:00 P.M.:

- A. Surveying and layout.
- B. Testing and tensioning P. T. (post tensioned) cables, requiring only hydraulic equipment (no cable cutting allowed).
- C. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protection, water dams and heating equipment.

In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby properties, all other construction activities shall be limited to non-holiday weekdays between 7:30 A.M. and 6:00 P.M.

After each floor of the building is enclosed with exterior walls and windows, interior construction on the individual enclosed floors can be done at other times in accordance with the Noise Ordinance. Such construction activities will have a minimal impact on adjacent uses. Restricting the ability to conduct these tasks would extend the construction schedule; thus the duration of associated noise impacts. DPD recognizes that there may be occasions when critical construction activities could be performed in the evenings and on weekends, which are of an emergency nature or related to issues of safety, or which could substantially shorten the total construction timeframe if conducted during these hours. Therefore, the hours may be extended and/or specific types of construction activities may be permitted on a case by case basis by approval of the Land Use Planner prior to each occurrence.

As conditioned, noise impacts to nearby uses are considered adequately mitigated.

Air Quality

Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction activities, equipment and worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). To mitigate impacts of exhaust fumes on the directly adjacent residential uses, trucks hauling materials to and from the project site will not be allowed to queue on streets under windows of the adjacent residential building.

Should asbestos be identified on the site, it must be removed in accordance with the Puget Sound Clean Air Agency (PSCAA) and City requirements. PSCAA regulations require control of fugitive dust to protect air quality and require permits for removal of asbestos during demolition. In order to ensure that

PSCAA will be notified of the proposed demolition, a condition will be included pursuant to SEPA authority under SMC 25.05.675A which requires that a copy of the PSCAA permit be attached to the demolition permit, prior to issuance. This will assure proper handling and disposal of asbestos.

Earth

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material.

The soils report, construction plans, and shoring of excavations as needed, will be reviewed by the DPD Geo-technical Engineer and Building Plans Examiner who will require any additional soils-related information, recommendations, declarations, covenants and bonds as necessary to assure safe grading and excavation. This project constitutes a "large project" under the terms of the SGDCC (SMC 22.802.015 D). As such, there are many additional requirements for erosion control including a provision for implementation of best management practices and a requirement for incorporation of an engineered erosion control plan which will be reviewed jointly by the DPD building plans examiner and geo-technical engineer prior to issuance of the permit. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

Grading

An excavation to construct the lower level of the structure areas will be necessary. The maximum depth of the excavation is approximately 10.5 feet and will consist of an estimated 7,200 cubic yards of material. The soil removed will not be reused on the site and will need to be disposed off-site by trucks. City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Traffic and Parking

Construction of the project is proposed to last approximately 18 months. The soil removed for the garage structure will not be reused on the site and will need to be disposed off-site. Excavation and fill activity will require 720 round trips with 10-yard hauling trucks or 360 round trips with 20-yard hauling trucks. Existing City code (SMC 11.62) requires truck activities to use arterial streets to every extent possible. The proposal site is near a major arterial and traffic impacts resulting from the truck traffic associated with grading will be of short duration and mitigated by enforcement of SMC 11.62.

Truck access to and from the site shall be documented in a construction traffic management plan, to be submitted to DPD and SDOT prior to the beginning of construction. This plan also shall indicate how pedestrian connections around the site will be maintained during the construction period, with particular consideration given to maintaining pedestrian access along Roosevelt Way, Lake City Way NE and NE

75th St. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area and increased demand for parking; increased light and glare; and removal of two older buildings.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: The Stormwater, Grading and Drainage Control Code which requires on site collection of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, due to the size, existence of older buildings on site, and location of this proposal, historic preservation and traffic and parking impacts warrant further analysis.

Traffic and Transportation

The proposed project would generate approximately 1,172 daily trips and 79 trips during the weekday PM peak hour. Accounting for the trip generating characteristics of the existing pass-by trips and existing commercial uses, the proposed project would generate 983 net new daily trips and 66 net new PM peak hour trips. These 66 non-pass-by trips are estimated to only use the portion of the alley between the project driveways and the Lake City Way spur road.

The traffic consultant, William Popp Associates, analyzed commute patterns of the future tenants and other users of the proposed structure in relationship to predicted use of the northern spur of the alley. Comparison of travel time and distance to I-5 based on two separate routes (the alley route and the arterial route) illustrates that the arterial route saves an estimated 10 seconds of travel time. A similar travel time analysis conducted for trips heading north on Roosevelt Way NE indicates that the alley route takes approximately nine seconds longer than the arterial route. For trips heading northeast on SR 522 (Lake City Way NE), the analysis predicts that it would be nine seconds faster to use the alley route rather than the arterial one.

In the traffic consultant's September 21, 2005 memo, William Popp estimates that 18 potential trips during the PM peak hour could potentially use the alley northbound from the site. Based on the travel time analyses, the study estimates that of the 18 potential trips using the alley northbound, only four would actually do so. Conservatively, even if half of the 18 trips used the alley northbound, an increase in nine trips on the alley is not assumed to result in a critical volume concern on the alley.

In order to minimize use of the alley northbound, the consultant recommends the installation of signage at the project driveway exit points requiring vehicles to turn right. The consultant recommends 18" x 18"

signage located six feet above the ground. In addition, the developer offers to prepare lease agreements such that no project traffic utilizes the residential alley north of the site for ingress/egress.

During the review process, safety issues due to the quality of sight distances on the alley in the vicinity of the proposed garage access were raised. Analysis of sight distances by the traffic consultant concluded that the available sight distance is adequate for the assumed speed (10 miles per hour) of the alley. The consultant adds that “since the condition is borderline, it would be appropriate for the development to install a convex mirror on the building at the entrance to the lower parking garage to improve sight distance for vehicles approaching from both directions on the alley.

Parking

Twenty-one parking spaces currently exist on-site while on-street, parallel parking is available on the Lake City Way spur. The project would include a 66-space at grade and below grade parking garage accessed from the alley. These spaces would be reserved for both residential and commercial tenants.

Residential parking demand was estimated based on the number of apartment units and the average peak parking demand rate published in Parking Generation (ITE, 3rd Edition, 2004) for an urban “low/mid-rise apartment”. Multiplying the size of the project (30 units) by the average peak parking demand rate for an urban low /mid-rise apartment building (1.00 vehicles per dwelling unit), the peak parking demand is estimated at 30 vehicles. Parking demand generated by the 25,662 sq. ft. of proposed office use would produce an estimated 62 vehicles (using a multiplier of 2.4). Due to the different peak parking periods by the separate residential (9 pm – 5 am) and commercial uses (9am-12 pm and 2pm – 4 pm), the 66 space garage would accommodate most of the parking demand. On-street parking is available on the Lake City Way spur for any excess commercial demand. The small amount of potential spill over parking would occur during the day and not in the evenings. Spill over parking during the day would have less impact on the surrounding residential neighborhood. No project-generated parking impact is anticipated.

Historic Preservation

Two structures currently occupy the site, both one-story commercial buildings. Because each of their ages exceeds 50 years, the two buildings warrant review for historic and architectural significance. Based on an analysis of the two buildings proposed to be demolished, the Department of Neighborhoods’ review states that none of the existing buildings “would meet the standards for designation as individual landmarks.”

Summary

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are non-significant. The conditions imposed below are intended to mitigate specific impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).

[] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 (2) (C).

CONDITIONS-DESIGN REVIEW

Prior to Issuance of a Master Use Permit

Revise plans according to the following conditions.

1. Realign the garage driveways to be perpendicular to the alley.
2. Set back the commercial floors of the building four feet from the alley to accommodate safe ingress and egress from the alley and to allow clearance for recycling/trash vehicles.
3. Add a door directly into the trash/recycling storage room from the garage or stairway to encourage tenant use on non-trash and recycling days.
4. Specify a squared-off, corrugated metal for the exterior finish.
5. Landscape with plants the wedge shaped area between the realigned garage driveway and the adjacent property to the west.
6. Place pavers within the planting strip along the Lake City Way NE spur to accommodate access for individuals parked on the street.

During Construction

7. Use the dark toned color palette as shown on the materials board.
8. Ensure that all materials and canopies presented in the Recommendation packet and on the material boards are used.
9. Plant vines along the west garage façade that faces the adjacent apartment buildings.

For the Life of the Project

10. As proposed by the owner, egress from the garage should be right turn only.

Non-Appealable Conditions

11. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Bruce P. Rips, (206) 615-1392). Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.
12. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project (Bruce P. Rips, (206) 615-1392), or by the Design Review Manager. An appointment with the assigned Land Use Planner must be made at least (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.
13. Embed the MUP conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings.

CONDITIONS-SEPA

Prior to Issuance of a Demolition, Grading, or Building Permit

14. Attach a copy of the PSCAA demolition permit to the building permit set of plans.

During Construction

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other weatherproofing material and shall remain in place for the duration of construction.

15. Grading, delivery and pouring of concrete and similar noisy activities will be prohibited on Saturdays and Sundays. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work such as that listed below, will be permitted on Saturdays from 9:00 A.M. to 6:00 P.M.:
 - A. Surveying and layout.
 - B. Testing and tensioning P. T. (post tensioned) cables, requiring only hydraulic equipment (no cable cutting allowed).
 - C. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.
16. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby properties, all other construction activities shall be limited to non-holiday weekdays between 7:30 A.M and 6:00 P.M.

Hours on weekdays may be extended from 6:00 P.M. to 8:00 P.M. on a case by case basis. All evening work must be approved by DPD prior to each occurrence.

Once the foundation work is completed and the structure is enclosed, interior construction may be done in compliance with the Noise Ordinance and is not subject to the additional noise mitigating conditions.

17. Measures identified in the construction Transportation Plan shall be implemented.

Prior to Issuance of a Certificate of Occupancy

18. Install signs at the project driveway exit points requiring vehicles to turn right. Recommended size is 18" x 18" signage placed six feet above the ground.
19. Install a convex mirror on the building at the entrance to the lower parking garage to improve sight distance for vehicles approaching from both directions on the alley.

Signature: (signature on file) Date: July 3, 2006
Bruce P. Rips, AICP, Project Planner
Department of Planning and Development